

**Senate Bill No. 1913**

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Passed the Senate August 25, 2000

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*Secretary of the Senate*

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Passed the Assembly August 18, 2000

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2000, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*



## CHAPTER \_\_\_\_\_

An act to amend Section 48293 of the Education Code, relating to truants.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1913, McPherson. Compulsory education.

Existing law requires that each person subject to compulsory full-time education attend school as specified. Existing law requires that each parent, guardian, or other person having control or charge of the pupil shall send the pupil to school, as specified, and imposes penalties on the parent, guardian, or other person having control or charge of the pupil for noncompliance with the attendance laws.

This bill would, until January 1, 2005, specifically authorize a court to order a person who is convicted for failing to comply with the attendance laws, as specified, to immediately enroll the child in the appropriate school or educational program and provide proof of enrollment to the court.

This bill would require the Legislative Analyst, in conjunction with the California District Attorney's Association and the State Department of Education, to develop and submit a report to the Legislature on or before January 1, 2004, as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 48293 of the Education Code is amended to read:

48293. (a) Any parent, guardian, or other person having control or charge of any pupil who fails to comply with this chapter, unless excused or exempted therefrom, is guilty of an infraction and shall be punished as follows:

(1) Upon a first conviction, by a fine of not more than one hundred dollars (\$100).

(2) Upon a second conviction, by a fine of not more than two hundred fifty dollars (\$250).



(3) Upon a third or subsequent conviction, if the person has willfully refused to comply with this section, by a fine of not more than five hundred dollars (\$500). In lieu of imposing the fines prescribed in paragraphs (1) (2), and (3), the court may order the person to be placed in a parent education and counseling program.

(b) A judgment that a person convicted of an infraction be punished as prescribed in subdivision (a) may also provide for the payment of the fine within a specified time or in specified installments, or for participation in the program. A judgment granting a defendant time to pay the fine or prescribing the days of attendance in a program shall order that if the defendant fails to pay the fine, or any installment thereof, on the date that it is due, or fails to attend a program on a prescribed date, he or she shall appear in court on that date for further proceedings. Willful violation of the order is punishable as contempt.

(c) Until January 1, 2005, the court may also order that the person convicted of the violation of subdivision (a) immediately enroll the pupil in the appropriate school or educational program and provide proof of enrollment to the court. Willful violation of an order under this subdivision is punishable as civil contempt with a fine of up to one thousand dollars (\$1,000). An order of contempt under this subdivision shall not include imprisonment.

(d) The Legislative Analyst, in consultation with the California District Attorney's Association and the State Department of Education, shall develop a report to be submitted to the Legislature on or before January 1, 2004, concerning the implementation of this subdivision.



Approved \_\_\_\_\_, 2000

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*Governor*

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